

Amendment No. a1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	—	(Y/N)
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	—	

1 Committee/Subcommittee hearing PCB: Business & Professional  
2 Regulation Subcommittee  
3 Representative Steube offered the following:  
4

5 **Amendment to Amendment (PCB BPRS 14-02 Strike1) by**  
6 **Representative Steube**

7 Remove lines 20-132 of the amendment and insert:

8 (a) At a taproom, malt beverages brewed by the  
9 manufacturer or in collaboration with other manufacturers may be  
10 sold to consumers for on-premises or off-premises consumption  
11 without obtaining a vendor's license. Taprooms are subject to  
12 the following requirements:

13 1. The taproom must be a room or rooms located on the  
14 manufacturing licensed premises consisting of a single complex,  
15 which shall include a brewery. Such premises may be divided by  
16 no more than one public street or highway. The taproom shall be  
17 included on the sketch or diagram defining the licensed premises

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18 submitted with the manufacturer's license application. All  
19 sketch or diagram revisions by the manufacturer shall require  
20 the division's approval verifying that the taproom operated by  
21 the licensed manufacturer is owned or leased by the manufacturer  
22 and on licensed manufacturing premises.

23 2. At least 70 percent of the malt beverages sold to  
24 consumers in the taproom, per calendar year, shall be brewed on  
25 the licensed manufacturing premises. Malt beverages brewed in  
26 collaboration with other manufacturers shall not be included in  
27 the 70 percent. No more than 30 percent of the malt beverages  
28 sold to consumers at the taproom, per calendar year, may be  
29 brewed by the manufacturer at other manufacturing premises and  
30 shipped to the licensed manufacturing premises pursuant to s.  
31 563.022(14) (d) or brewed in collaboration with other  
32 manufacturers.

33 3. Malt beverages may be sold to consumers at the taproom  
34 for off-premises consumption in authorized containers pursuant  
35 the requirements set forth in s. 563.06(6) and (7).

36 4. The manufacturer of malt beverages pursuant to this  
37 subsection shall be responsible for applicable reports pursuant  
38 to ss. 561.50 and 561.55 with respect to the amount of malt  
39 beverage sold or given to consumers in the taproom each month  
40 and shall pay applicable excise taxes thereon to the division by  
41 the 10th day of each month for the previous month.

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42 5. Nothing in this subsection precludes a licensed  
43 manufacturer of malt beverages with a taproom from also holding  
44 a permanent food service license at the taproom.

45 6. No manufacturer may hold a vendor license at a licensed  
46 manufacturing premises operating a taproom pursuant to this  
47 paragraph.

48 (b) In lieu of a taproom, on or after July 1, 2014, the  
49 ~~The~~ division is authorized to issue vendor's licenses to a  
50 manufacturer of malt beverages at no more than two manufacturing  
51 premises for which the manufacturer has an interest, directly or  
52 indirectly, in the license if the following requirements are  
53 met; ~~even if such manufacturer is also licensed as a~~  
54 ~~distributor, for the sale of alcoholic beverages on property~~  
55 ~~consisting of a single complex, which property shall include a~~  
56 ~~brewery and such other structures which promote the brewery and~~  
57 ~~the tourist industry of the state. However, such property may be~~  
58 ~~divided by no more than one public street or highway.~~

59 1. A licensed manufacturer may obtain one vendor's license  
60 at no more than two licensed manufacturing premises. Any  
61 additional manufacturing premises for which the manufacturer has  
62 an interest, directly or indirectly, in the license may operate  
63 a taproom without a vendor's license pursuant to the  
64 requirements set forth in paragraph (a).

65 2. The vendor's license shall be located on the  
66 manufacturing premises consisting of a single complex, which  
67 shall include a brewery. Such premises may be divided by no more

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68 than one public street or highway. The vendor licensed premises  
69 shall be included on the sketch or diagram defining the licensed  
70 premises submitted with the manufacturer's license application.  
71 All sketch or diagram revisions by the manufacturer shall  
72 require the division's approval verifying that the vendor  
73 premises operated by the licensed manufacturer is owned or  
74 leased by the manufacturer and on the licensed manufacturing  
75 premises.

76 3. The manufacturer may sell alcoholic beverages under its  
77 vendor's license as follows:

78 a. Malt beverages manufactured on the licensed premises; at  
79 another manufacturing premises for which the manufacturer has an  
80 interest, directly or indirectly, in the license; or in  
81 collaboration with another manufacturer for:

82 (I) On-premises consumption.

83 (II) Off-premises consumption in authorized containers,  
84 pursuant to s. 563.06(6).

85 (III) Off-premises consumption in growlers, pursuant to s.  
86 563.06(7).

87 b. Malt beverages manufactured exclusively by other  
88 manufacturers for:

89 (I) On-premises consumption.

90 (II) Off-premises consumption in authorized containers,  
91 pursuant to s. 563.06(6).

92 (III) Off-premises consumption in growlers, pursuant to s.  
93 563.06(7), by holders of a quota license.

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94 c. Any wine or liquor for on-premises or off-premises  
95 consumption as authorized under its vendor's license.

96 4. The manufacturer of malt beverages pursuant to this  
97 subsection shall be responsible for applicable reports pursuant  
98 to ss. 561.50 and 561.55 with respect to the amount of malt  
99 beverages manufactured and sold pursuant to their vendor's  
100 license, or given to consumers each month, including malt  
101 beverages brewed in collaboration with another manufacturer, and  
102 shall pay applicable excise taxes thereon to the division by the  
103 10th day of each month for the previous month.

104 5. Nothing in this subsection precludes a licensed  
105 manufacturer of malt beverages with a vendor's license from also  
106 holding a permanent food service license at the taproom.

107 6. Entities issued a manufacturer's and vendor's license  
108 at more than two manufacturer's premises pursuant to this  
109 subsection prior to July 1, 2014, may maintain the licenses  
110 previously obtained, but shall not obtain additional vendor's  
111 licenses. However, except as to the allowance for manufacturers  
112 holding a vendor's license at more than two licensed  
113 manufacturing premises prior to July 1, 2014, a vendor's license  
114 held by a manufacturer of malt beverages pursuant to this  
115 subsection, regardless of when first obtained, shall be subject  
116 to the requirements of subparagraphs (b)1.-5.

117 7. An entity with direct or indirect interests in vendor  
118 licenses issued to not more than two manufacturing premises  
119 under paragraph (2) (b) may not be related, directly or

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120 indirectly, to two or more other entities having interests,  
121 directly or indirectly, in other vendor licenses issued to other  
122 separate manufacturing premises. This provision prohibits the  
123 creation of a chain of more than two vendor licensed  
124 manufacturing premises under common control of entities having  
125 direct or indirect interests in such vendor licensed  
126 manufacturing facilities. This does not prohibit the purchase  
127 or ownership of stock in a publicly traded corporation where the  
128 licensee does not have and does not obtain a controlling  
129 interest in the corporation.